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REMARKS

In the Office Action, the Examiner noted that claims 1-17 are pending in the application, and that claims 1-5, 9-10, 15, and 17 are rejected. The Examiner objected to claims 6-8, 11-14, and 16 but indicated that these claims contained allowable subject matter and would be allowed if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. By this response, claims 2-4, 6-9, 11, 12, and 15-17 are amended; claims 5, 13, and 14 continue unamended; and claims 1 and 10 are cancelled without prejudice or disclaimer. In view of the above amendment and the following discussion, Applicants submit that none of the claims now pending in the application are indefinite under the provisions of 35 U.S.C. §112, second paragraph or anticipated under the provisions of 35 U.S.C. § 102(e). Thus, Applicants believe that all of the claims are now in condition for allowance.

Objection To The Drawings

The Examiner objected to the drawings for failing to comply with 37 C.F.R. §§1.84(p)(5). Applicants have amended paragraph 42 of the specification, as indicated above to include elements 914, 914A, and 914B. The amendment to paragraph 42 adds no new matter and is fully supported by the drawings (and by the unamended portions of the specification). In view of the amendment to paragraph 42, as indicated above, Applicants submit that the drawings are in compliance with 37 C.F.R. §§1.84(p)(5). Therefore, Applicants request reconsideration and withdrawal of the objection to the drawings.

In addition, Applicants have amended paragraph 33 of the specification to correct a typographical error. The correction of the typographical error adds no new matter and is fully supported by the drawings (and by the unamended portions of the specification).

Rejections Under 35 U.S.C. §102

In paragraph 5 of the Office Action, the Examiner rejected claims 1, 3-5, 9-10, 15, and 17, under 35 U.S.C. §102(e), as being anticipated by MacDonald et al. (U.S. Patent No. 6,154,586, issued November 28, 2000) ("MacDonald"). The rejection is respectfully traversed.

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A. Claim 1

Applicants have cancelled claim 1 without prejudice or disclaimer. As such, the rejection of claim 1 is moot.

B. Claims 3 and 5

In paragraph 5 of the Office Action, the Examiner rejected claims 3 and 5, under 35 U.S.C. §102(e), as being anticipated by MacDonald. The rejection is respectfully traversed.

Dependent claim 3 has been amended to independent form to include all of the features of independent claim 1 and to recite that the "deformable interface is a position of a meniscus." Applicants direct the Examiner's attention to the fact that independent claim 3 (as currently amended) contains features similar to features within claims that the Examiner indicated as containing allowable subject matter.

Specifically, independent claim 3 contains similar features to allowable independent claim 11. Specifically, claims 3 and 11 recite methods in which the direction of light is altered due to a change in characteristic of a fluid. Each of these claims recites that the changed/altered characteristic "is a position of a meniscus." Although claims 3 and 11 are different in scope, Applicants submit that the features cited within these claims are sufficiently similar such that Applicants believe that claim 3 is also allowable. In addition, dependent claim 5 depends directly upon independent claim 3. Applicants submit that at least for the dependency of claim 5 upon allowable claim 3 that claim 5 is also allowable. As such, Applicants request reconsideration and withdrawal of the 35 U.S.C. §102(e) rejection of claims 3 and 5.

C. Claims 4 and 9

In paragraph 5 of the Office Action, the Examiner rejected claims 4 and 9, under 35 U.S.C. §102(e), as being anticipated by MacDonald. The rejection is respectfully traversed.

To further prosecution of the allowable claims, Applicants have amended dependent claim 6 to independent form to include all of the features of independent claim 1 (as originally filed). As such, Applicants submit that independent claim 6 is in allowable form. In addition, rejected claims 4 and 9 have been amended to depend either directly or indirectly from allowable independent claim 6. Applicants submit that at least for the dependency of claims 4 and 9 upon

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allowable claim 6 that claims 4 and 9 are also allowable. As such, Applicants request reconsideration and withdrawal of the 35 U.S.C §102(e) rejection of claims 4 and 9.

D. Claims 10, 15, and 17

In paragraph 5 of the Office Action, the Examiner rejected claims 10, 15, and 17 under 35 U.S.C. §102(e) in view of MacDonald. The rejection is respectfully traversed.

To further prosecution Applicants have amended dependent claims 11 and 12 into independent form to include all of the features of independent claim 10. As such, Applicants respectfully submit that independent claims 11 and 12 are in allowable form. In addition, claims 15 and 17 have been amended to depend either directly or indirectly from independent claim 12. As such, Applicants submit that claims 15 and 17 are allowable at least for their dependency upon allowable claim 12.

Applicants have cancelled claims 10 without prejudice or disclaimer. As such the rejection of claim 10 is moot. In view of the above, Applicants request reconsideration and withdrawal of the 35 U.S.C §102(e) rejection of claims 15 and 17.

Allowable Subject Matter

In paragraph 6 of the Office Action, the Examiner indicated that claims 6-8, 11-14, and 16 were objected to as being dependent upon a rejected base claim and that these claims would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicants have amended dependent claims 6-8, 11, 12, and 16 to independent form to include all of the features of their respective base claim. As such, Applicants submit that independent claims 6-8, 11, 12, and 16 are in allowable form.

In addition, Applicants submit that dependent claims 13 and 14 depend from allowable claim 12 (as amended). As such, Applicants submit claims 13 and 14 are also in allowable form. In view of the above amendments, Applicants request reconsideration and withdrawal of the objection to claims 6-8, 11-14, and 16.

CONCLUSION

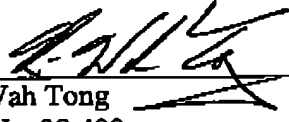
Thus, Applicants submit that none of the claims presently in the application are indefinite under the provisions of 35 U.S.C. §112, second paragraph or anticipated under the provisions of

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35 U.S.C. § 102(e). Consequently, Applicants believe that all these claims are presently in condition for allowance. In addition, Applicants submit that all of the drawings comply with 37 C.F.R. §§1.84(p)(5). Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,


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